

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent No.: 7,087,404 ) Examiner: Turner, Sharon L.  
Issued: August 8, 2006 )  
Title: **PRO1306 NUCLEIC ACIDS** ) Art Unit: 1647  
Inventors: Luc DESNOYERS, et al. ) Attorney's Docket No. 39780-2830  
 ) P1C52  
 ) Customer No. 35489  
 )  
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FILED VIA EFS  
ON SEPTEMBER 20, 2007

**PETITION PURSUANT TO 37 C.F.R. § 1.324, CORRECTION OF  
INVENTORSHIP IN AN ISSUED PATENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This Petition seeks to add Ellen Filvaroff as a joint inventor in the above-identified patent. Ms. Filvaroff was inadvertently and without deceptive intent not included as a joint inventor in the above-identified patent. Enclosed are the following documents in support of this Petition:

- (a) a statement signed by Ms. Filvaroff indicating that the error in inventorship in the above-referenced patent occurred without deceptive intent on her part;
- (b) a statement by the currently named inventors that they agree to the requested change;
- (c) a statement by Genentech, Inc., assignee of the entire title, right and interest in the above-captioned patent, agreeing to the requested change of inventorship; and
- (d) the fee set forth in 37 C.F.R. § 1.120(b) (\$130.00).

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. **08-1641** (referencing Attorney's Docket No. **39780-2830 P1C52**). Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Date: September 20, 2007

By:

Panpan Gao (Reg. No. 43,626)

**HELLER EHRLICH LLP**  
275 Middlefield Road  
Menlo Park, California 94025-3506  
Telephone: (650) 324-7000  
Facsimile: (650) 324-0638

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**STATEMENT BY ASSIGNEE UNDER 37 C.F.R. § 1.324(b)(3)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir,

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). The assignment is recorded at Reel 012288 and Frame 0504. This assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

The undersigned hereby states that Assignee agrees to the correction of the inventorship of the above-identified patent to include Ellen Filvaroff as a joint inventor.

Respectfully submitted,

Date: 7-16-07

By: Mark T. Kresnak  
Mark T. Kresnak

*E M B*

Title: Associate General Counsel

Address: 1 DNA Way  
South San Francisco, CA 94080

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Inventors: Luc DESNOYERS, et al.	)	
	)	<b>Customer No. 35489</b>
	)	

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**STATEMENT OF OMITTED INVENTOR UNDER 37 C.F.R. § 1.324(b)(1)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

I, Ellen Filvaroff, hereby state that I was omitted as an inventor in the above patent. I further state that this omission is due to an error which occurred without any deceptive intention on my part.

Respectfully submitted,

Date: 7/11/07

By:   
Ellen Filvaroff

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**STATEMENT OF CURRENTLY NAMED INVENTORS UNDER 37 C.F.R.**  
**§ 1.324(b)(2)**

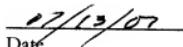
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Dear Sir:

We, Luc Desnoyers, Dan L. Eaton, Audrey Goddard, Paul J. Godowski, Austin Gurney and William I. Wood, the currently named joint inventors in the above-identified patent, hereby state that we agree to the addition of Ellen Filvaroff as an inventor, as requested in a petition to correct inventorship pursuant to 35 U.S.C. § 256.

Respectfully submitted,

  
Luc Desnoyers, Ph.D.

  
Date

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Dan L. Eaton, Ph.D.

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Date

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Audrey Goddard, Ph.D.

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Date

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Paul J. Godowski, Ph.D.

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Date

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Austin Gurney, Ph.D.

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Date

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William I. Wood, Ph.D.

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\_\_\_\_\_  
**Luc Desnoyers, Ph.D.**

\_\_\_\_\_  
Date

*Dan Eaton*  
\_\_\_\_\_  
**Dan L. Eaton, Ph.D.**

\_\_\_\_\_  
*7-11-07*  
Date

\_\_\_\_\_  
**Audrey Goddard, Ph.D.**

\_\_\_\_\_  
Date

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**Paul J. Godowski, Ph.D.**

\_\_\_\_\_  
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**Austin Gurney, Ph.D.**

\_\_\_\_\_  
Date

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**William I. Wood, Ph.D.**

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Date

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Dan L. Eaton, Ph.D.

Date \_\_\_\_\_

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**Audrey Goddard, Ph.D.**

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Date

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Paul J. Godowski, Ph.D.

Date \_\_\_\_\_

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Austin Gurney, Ph.D.

Date \_\_\_\_\_

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**William J. Wood, Ph.D.**

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**Statement Under 37 C.F.R. §1.324(b)(2)**  
**Patent No. 7,087,404**

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§ 1.324(b)(2)

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**Austin Gurney, Ph.D.**

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Date

*William I. Wood*  
**William I. Wood, Ph.D.**

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Date

*7/11/07*

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